

## THIRTEENTH DAY.

SENATE CHAMBER,  
AUSTIN, TEXAS, Tuesday, Sept. 26, 1871. }

Senate met pursuant to adjournment. President Campbell presiding. Roll called. Quorum present.

Absent, excused—Senators Hall and Pickett.

Prayer by the Chaplain.

Journal of yesterday read and adopted.

## REPORTS OF STANDING COMMITTEES.

Reports of Committee on State Affairs :

COMMITTEE ROOM,  
Austin, Sept. 25, 1871. }

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on State Affairs, to whom was referred Senate bill No. 451, entitled "An act to encourage the establishment of mills for the manufacturing of cotton and woolen goods by exempting such mills from taxation," have carefully considered the same, and a majority of said committee instruct me to report the same back with the following amendment and recommend it to the favorable consideration of the Senate: amend section one, lines six and seven, by striking out the following words, to-wit: "whether accrued or."

S. W. FORD, Chairman.

COMMITTEE ROOM,  
Austin, Sept. 25, 1871. }

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on State Affairs to whom was referred Senate bill No. 468, entitled "An act authorizing the County Court of Marion county to have certain records from other counties transcribed and recorded in said county," have carefully considered the same and instruct me to report it back and recommend its passage.

Respectfully,

S. W. FORD, Chairman.

Senator Douglas submitted the following minority report of Committee on State Affairs, on substitute Senate bill No. 456 :

COMMITTEE ROOM,  
Austin, Sept. 25, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: The undersigned minority of your Committee on State Affairs, beg leave to dissent from the action of a majority of said Committee in recommending the passage of Substitute Senate bill No. 456, to be entitled "An act to provide for a new apportionment of Representative and Senatorial Districts, and for a general election for members of the Legislature."

The minority of your committee present no issue, but agree with the majority as to the subject of a general election, but they find many and serious objections to the apportionment of Representatives, as provided for.

While they admit the sad fact that the experience of the past will not justify the hope that an appeal to the Constitution will be heeded by the majority of this Senate, they still feel it a sacred duty, however hopelessly, to appeal to the intelligence of this Senate, and to point out the plain and unmistakable violations of that instrument, designed in the passage of this bill.

We call attention to the following section of our Constitution:

"SECTION XXXIV. The whole number of Senators shall, at the next session after the several periods of making the enumeration, be fixed by the Legislature, and apportioned among the several Districts to be established by law, according to the number of qualified electors, and shall never be less than nineteen nor more than thirty."

Under this bill, the number of Senators is not apportioned among the several Districts, according to the number of qualified electors; but without any sort of regard for this clause of our Constitution, it contains the most outrageous inequalities of representation, as will appear from the following statement of the number of registered voters in the several Districts under the registration of 1869:

The First District has 5,011 voters and one Senator; Second District 5,929 voters, one Senator; Third District 3,832 voters, one Senator; Fourth District 3,912 voters, one Senator; Fifth District 8,729 voters, two Senators; Sixth District 3,409 voters, one Senator; Seventh District 6,701 voters, two Senators; Eighth District 6,911 voters, one Senator; Ninth District 4,576 voters, one Senator; Tenth District 5,881 voters, one Senator; Eleventh District 5,319 voters, one Senator; Twelfth District 6,663 voters, one Senator; Thirteenth District 29,877 voters, eight Senators; (being one Senator to each 3,734 voters). Fourteenth District 4,053 voters, one Senator; Fifteenth District 8,114 voters, two Senators; Sixteenth District 5,154 voters, one Senator; Seventeenth

District 5,018 voters, one Senator; Eighteenth District 5,587 voters, one Senator; Nineteenth District 6,560 voters, one Senator; Twentieth District 3,504 voters, one Senator.

It will be seen at once that no regard has been paid, even to the registration of 1869, which if observed in the apportionment would still operate a great hardship on many sections, where the registration was very partial. The number of registered voters in the first, second, eighth, tenth, and twelfth Districts, which are represented here by the minority party, contain 30,391 voters, and under this bill are represented by five Senators and fifteen Representatives, while the Thirteenth District, having only a registration of 29,877 is apportioned eight Senators and twenty-four Representatives.

It appears, therefore, that the basis of representation in supposed Democratic districts is one Senator to 6018 voters, while in supposed Republican districts it is one Senator to 3734 voters.

The Twelfth District contains 6663 voters with one Senator, while the Seventh District, containing only 6701 voters, is to be represented by two Senators. The Eighth District, situated in north Texas contains 6911 voters with one Senator, while the Fifteenth District, including Washington county, has 8114 voters with two Senators.

These monstrous inequalities of representation exist under this bill between districts supposed to be Democratic and districts supposed to be Republican throughout the State. Color rather than numbers seems to have been adopted by the framers of this bill as the basis of representation.

That the majority of this Legislature would resort to a system of jerryandering in the apportionment bill was expected, but that they would attempt to place the power and control of this great State in the possession of a few particular localities, whose principal population are of the black race, we had not expected. We had expected to see everything done to stifle the free voice of the majority of the people, but that this majority should be cut off from representation in the councils of our State is a stride towards the political enslavement of the white men of Texas, the boldness of which startles us.

Respectfully submitted,

J. P. DOUGLAS,

G. R. SHANNON,

Minority of Committee.

On motion of Senator Broughton one hundred copies of substitute for Senate bill No. 456, and the majority and minority reports thereon, were ordered printed for the use of the Senate.

## BILLS AND RESOLUTIONS.

By Senator Bell: a bill (Senate bill No. 474) to be entitled "An act to provide for appeals from inferior courts." Read first time and referred to Judiciary Committee.

By Senator Ford: a bill (Senate bill No. 473) to be entitled "An act to incorporate the Texas Agricultural, Horticultural, Mechanical and Industrial Association of Waco." Read first time and referred to the Committee on State Affairs.

By Senator Flanagan: a bill (Senate bill No. 475) to be entitled "An act to amend the third section of an act to incorporate the Carthage Branch Railway Company." Read first time and referred to the Committee on Internal Improvements.

By Senator Dohoney: a bill (Senate bill No. 476) to be entitled "An act to change the name of Virginia Mills to Virginia Dickens." Read first time and referred to the Committee on Judiciary.

By President Campbell: a bill (Senate bill No. 477) to be entitled "An act to incorporate the Jefferson Commercial Association." Read first time and referred to the Committee on Internal Improvements.

On motion of Senator Bell, the rules were suspended to take from file House bill No. 444, "An act to authorize William Burney and Thomas Burney to erect a toll bridge over Pin Oak creek, in the county of Limestone, Texas." Read second time and passed to a third reading.

On motion of Senator Bell, the rules were further suspended and House bill No. 444 read third time and passed.

On motion of Senator Broughton, the rules were suspended to take from file House bill No. 566, "An act supplementary to an act entitled 'an act to incorporate the Western Narrow Gauge Railway Company,' passed August 4, 1870." Read first time and passed to a second reading.

On motion of Senator Broughton the rules were further suspended and the bill read second time and passed to a third reading.

[Senator Flanagan in the chair.]

On motion of Senator Broughton the rules were further suspended, and House bill No. 566 read third time and passed.

On motion of Senator Flanagan Senator Bell was granted a leave of absence on account of sickness in his family.

By leave, Senator Hertzberg introduced Senate bill No. 478, to be entitled "An act authorizing the Commissioner of the General Land Office to appoint an assistant photographer, and making an ap-

appropriation therefor." Read first time and referred to the Committee on General Land Office.

On motion of Senator Parsons the Senate at 11:35 A. M. adjourned to 10½ A. M. to-morrow.

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## FOURTEENTH DAY.

SENATE CHAMBER,  
AUSTIN, TEXAS, Wednesday, Sept. 27, 1871. }

Senate met pursuant to adjournment. President Campbell presiding. Roll called. Quorum present.

Absent, excused—Senators Hall and Pickett.

Prayer by the Chaplain.

Pending the reading of the journal of yesterday, Senator Flanagan moved that the further reading be dispensed with. Motion carried.

## MESSAGES.

Message from the House by the Chief Clerk, Mr. Gallant, transmitting, for concurrence, House bills as follows :

House bill No. 130, "An act to prohibit the sale, or otherwise disposing, of spirituous or vinous liquors within two miles of Pittsburg Institute, Upshur county, Texas;" House bill No. 688, "An act to repeal an act entitled 'An act to authorize the citizens of Wallace's Prairie, Grimes county, to erect gates across the public roads in said prairie,'" passed May 18, 1871; House bill No. 706, "An act for the relief of Pedro Hernandez;" House bill No. 709, "An act to amend an act entitled 'an act to incorporate the Bank of Cleburne;'" House bill No. 716, "An act to amend an act entitled 'an act to incorporate the San Antonio, Victoria, Indianola and New Orleans Express and Transportation Company,' approved May 19, 1871;" House bill No. 718, "An act making an appropriation for the *per diem* pay of the members, officers and employes of the Twelfth Legislature;" House bill No. 726, "An act to authorize Howard Keys and his associates to construct a toll bridge across Lake Fork of Sabine river;" Substitute House bill No. 731, "An act to amend section one of an act entitled 'an act to encourage stockraising, and for the protection of stockraisers,' approved May 22, 1871;" House bill No. 733, "An act to incorporate Edom Academy in Cook county, Texas;" House bill No. 735, "An act supplemental to and amendatory